

May 11, 89  
Lara T. Wright

**ME & ASSOCIATES**  
812-254-4263  
R.R. 3, Box 389  
WASHINGTON, INDIANA 47501  
MARSTON R. FOWLER, JR. P.E. & L.S.

CIVIL ENGINEERING  
CONSTRUCTION CONSULTANT  
LAND SURVEYING

**CERTIFICATE OF LEGAL SURVEY**

Pursuant to Indiana Code Section 36-2-12-10, and subsequent to official Notice to Adjoining Landowner's by certified mail, dated April 6, 1989, I have completed the survey this May 6, 1989, at the request of Sam Lehman, for the purpose of locating the boundaries of the following described real estate in the Town of Bloomfield, Greene County, Indiana:

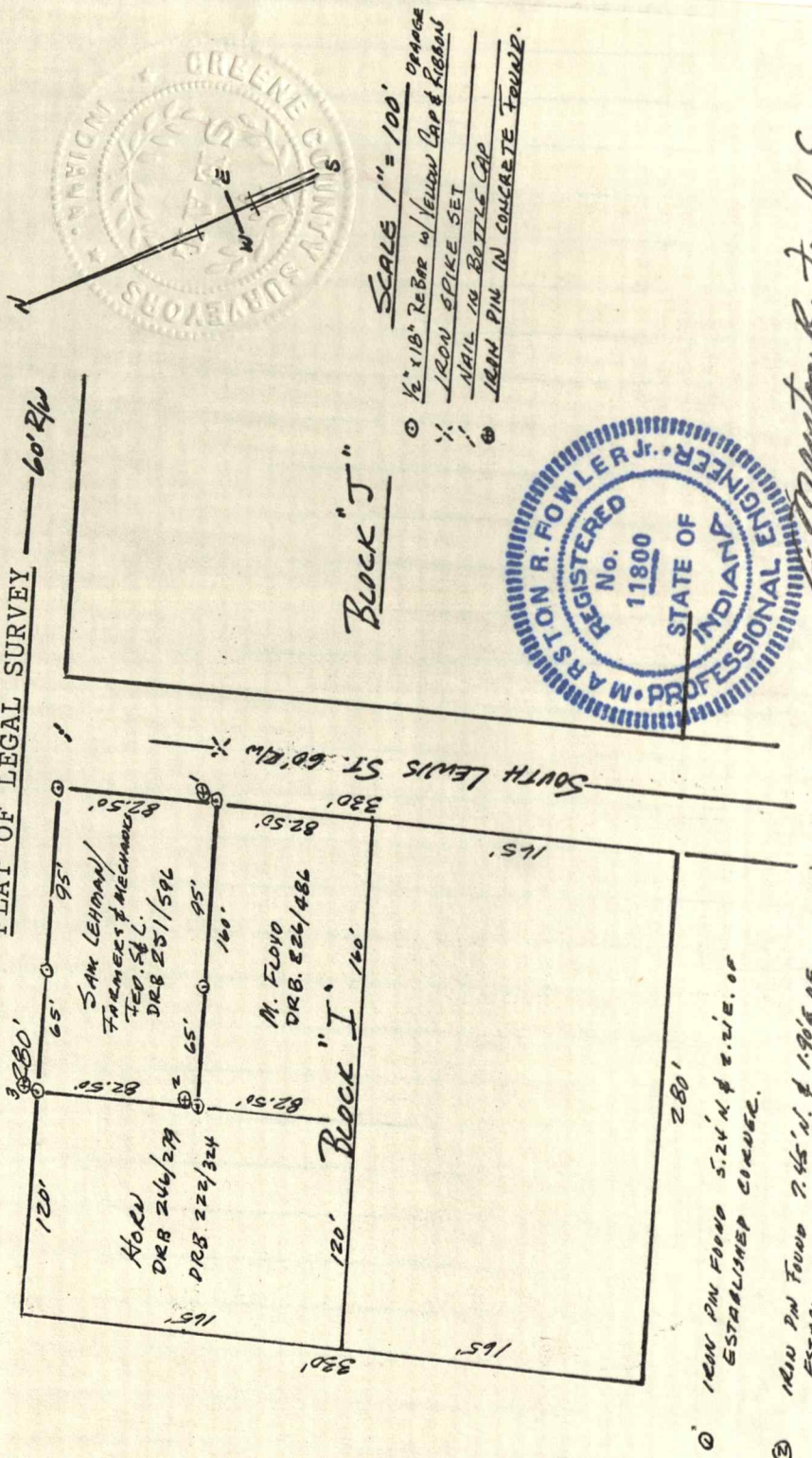
The North Half of the North Half of Block "I" in Aden G. Cavins' Addition to the Town of Bloomfield, being a strip eighty-two and one-half (82½) feet wide and of equal width off of the entire north side of said Block "I" as shown by the Plat of said Addition recorded in Plat Record 2, at page 18, in the Office of the County Recorder of Greene County, Indiana, BUT EXCEPTING THEREFROM 120 feet off of the west end of said parcel of real estate.

The corners of said tract were marked by eighteen (18) inch long reinforcing steel rod with a yellow plastic cap and orange ribbon. I personally contacted the adjoining property owners this May 6, 1989, at the completion of the survey and advised them of such completion and in fact Mr. Horn (DRB 246,p-279 & DRB 222,p-324), adjoining property owner to the west, was shown the monuments set, and in addition I advised him of the fact that I would file a copy of the Plat of Survey with the County Surveyor, in the Office of the Surveyor, and within ten (10) days would notify all adjoining property owners, by certified mail, and provide them with a copy of said Plat of Survey.

Ms. Martha Floyd (DRB 226, p-486), adjoining property to the south of the surveyed tract, was also contacted and advised of the completion of said survey, and was asked if she wanted to see the corners as established, to which she responded, no.

Mr. Sam Lehman, owner by Contract Sale, was present at various intervals throughout the day of the survey, and was shown the corners, and in fact was present when all corners were set.

**STARK ST. PLAT OF LEGAL SURVEY**



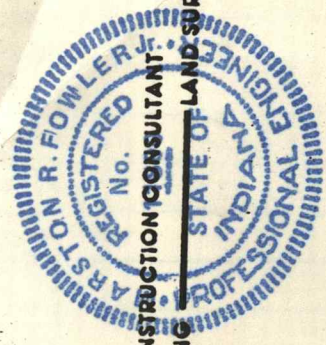
- ① Iron Pin Found 5.20' N. of E.C.E. of Established Corner.
- ② Iron Pin Found 2.45' N. of E.C.E. of Established Corner.
- ③ Iron Pin Found 9.34' & 2.47' E. of Established Corner.



Marston R. Fowler, Jr.  
L.S. 11238  
May 6, 1989



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812-254-4263  
R.R. 3, Box 389  
WASHINGTON, INDIANA 47501  
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CIVIL ENGINEERING  
CONSTRUCTION CONSULTANT  
LAND SURVEYING

**SURVEYORS REPORT**

In accordance with Title 864, Article 1.1, Chapter 13, Sections 1 through 34, of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- a) Variances in the reference monuments;
  - b) Discrepancies in record descriptions and plats;
  - c) Inconsistencies in lines of occupation and;
  - d) Random Errors in Measurement (Theoretical Uncertainty);
- measurement) of the corners of the subject tract established this survey is within the specifications for a Class 'A' Survey ( 0.10 feet) as defined in IAC 864.
- The original platted subdivision of Aden G. Cavins' Addition (Plat Book 2, page 18) is void of several critical angles and dimensions which creates differences in the interpretation of the location of any portion and/or all lots in said Addition.

As shown on the recorded plat Blocks "L", "K", "G", "H", and "I" are two hundred and eighty (280) feet east-west measurement dimensions, which indicates that the streets platted between Blocks "I" & "J", now Lewis Street, and the Street east of Blocks "M", "K", & "L", now South Seminary Street, are parallel, and three hundred thirty five (335) feet center to center, since the right of way on South Seminary Street is 50 feet wide, and on South Lewis is 60 feet wide.

The location of any north-south control was limited to the South line of Out Lot No. 1, which is very evident, since it was monumented by round steel post set in concrete prior to 1916, according to testimony given this day by Ione Starkey, who has resided on the property adjoining the south line, since 1916, and is witness to its existence since that time. Using this testimony as a primary source of evidence and in view of the fact that it generally fits the lines of occupation, this south lines intersection with the west line of the Street, now South Lewis Street, was used to control the north-south Block locations, as shown on the Plat of said Aden G. Cavins Addition in Plat Book 2, page 18, in the Recorder Office of Greene County, Indiana.

It should be noted that existing iron pins were found, as shown on the plat of legal survey, which were intended to locate the corners of Mr. Horns (adjoining property owner to the West) and Ms. Martha Floyd (adjoining property owner to the South), which do not agree with the locations established by physically measuring such angles, by use of an Electronic Distance Meter (EDM) with an angular readout, between the located center of street intersections on South Lewis and the existing center of concreted South Seminary Street, at the established Street intersections.

The existing iron pins found near the located corners are north and east of the established corners as shown on the plat of legal survey.

I, Marston R. Fowler Jr., certify that I am a Registered Land Surveyor, under IC 25-31 (25-31-1-1--25-31-1-32); that the Plat of Legal Survey represents a survey completed by me; that the monuments shown on said plat actually exist; and that their type(s) and location(s) are, to the best of my knowledge and belief, true and correct.

Marston R. Fowler, Jr.  
L.S. 11238  
May 6, 1989



STATE OF INDIANA )  
COUNTY OF GREENE ) ss:

IN THE GREENE CIRCUIT COURT  
CAUSE NO. 28 C01 8907 CP 179

MARTHA L. FLOYD,

Plaintiff,

vs.

SAM LEHMAN,

Defendant.

SAM LEHMAN,

Counter-Plaintiff,

vs.

MARTHA L. FLOYD,

Counter-Defendant.

# ORDER

Comes now the Court, having reviewed Plaintiff's Motion for Nunc Pro Tunc Entry or in the Alternative Further Hearing, which is in the words and figures as follows, to-wit:

(H.I.)

- IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:
1. This Court's order of March 22, 1991 is vacated.
  2. The Court considers and accepts the survey filed by the Court appointed surveyor, Elliott Sturgeon, on January 23, 1991.

10/27/99 21:20

TX/RX NO.4121

P.007

3. The Court orders that the boundaries as determined in the survey of Elliott Sturgeon on January 23, 1991 shall be the property line between the parties herein and shall be the boundary line and property line between these properties and each party's title to their respective real estate as a result of this survey is forever quieted accordingly.

4. The Court's earlier order to the Clerk of the Court to release \$700.00 held in trust payable to Elliott Sturgeon stands.

5. Either party shall be permitted to appeal from this order of quiet title from the date of entry of this order pursuant to the applicable rules of trial procedure and appellate procedure.

It is so ordered this 18<sup>th</sup> day of April, 1991.

*David K. Johnson*  
David K. Johnson, Judge  
Greene Circuit Court

## Distribution to:

David N. Powell  
Attorney at Law  
20 North Washington Street  
Worthington, Indiana 47471

Samuel R. Ardery  
BUNGER, ROBERTSON, KELLEY & STEGER  
226 S. College Square  
P.O. Box 910  
Bloomington, Indiana 47402-0910

10/27/99 21:20

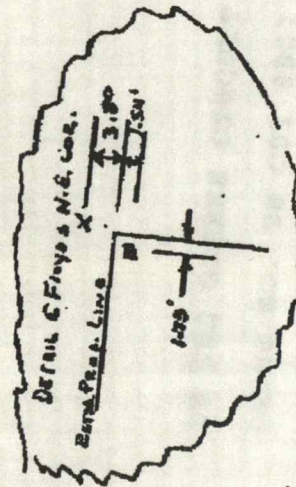
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P.008

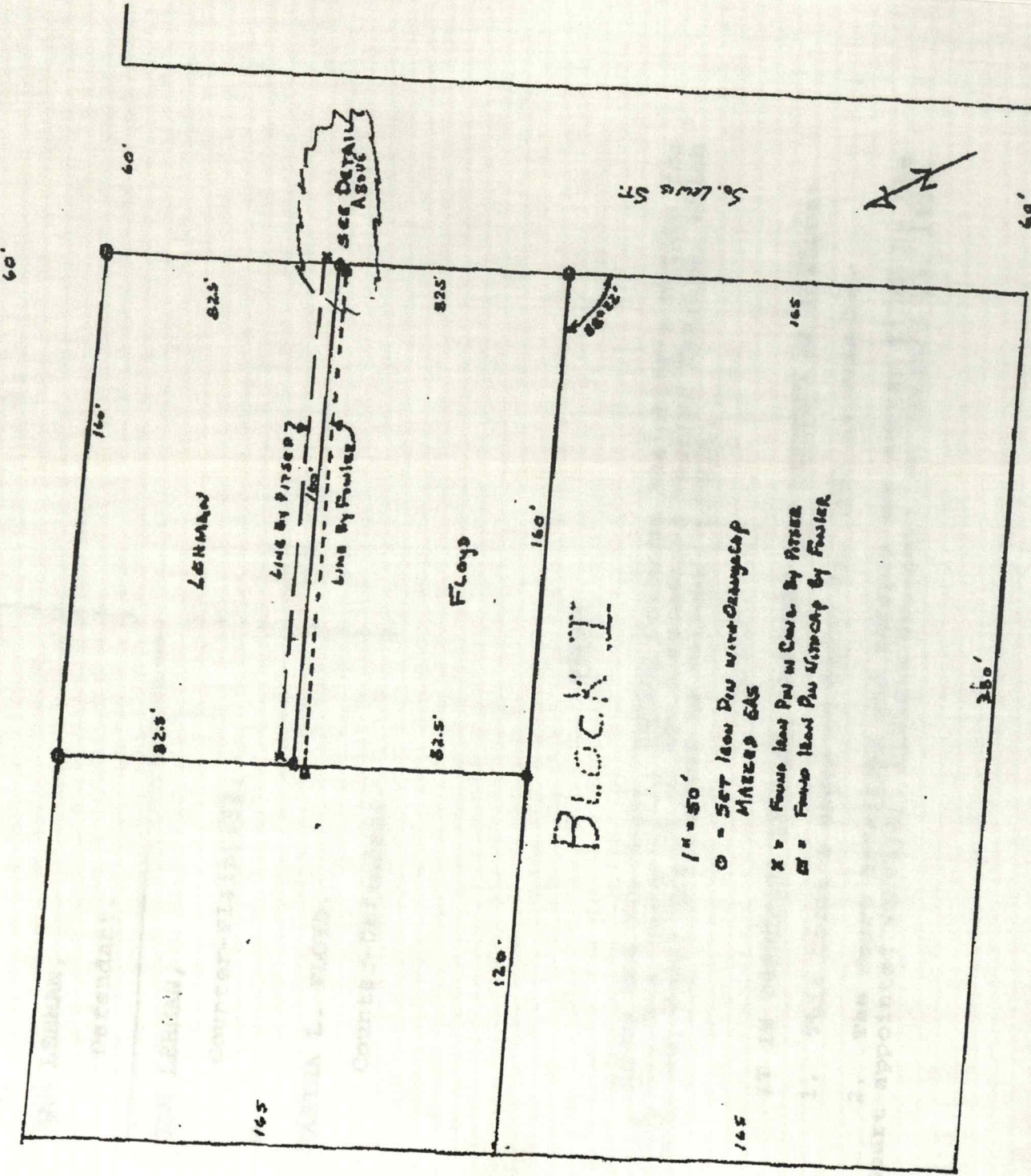




Pt. of CAVINS' ADD.  
To BLOOMFIELD, IND.  
GREENY COUNTY



STARKE ST.



10/27/99 21:20 TX/RX NO. 4121 P.011

SURVEYOR'S NAME

In accordance with Title 864, Article 1.1, Chapter 13, Section 1 through 34 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- Variances in the reference monuments;
- Discrepancies in the record descriptions and plats;
- Inconsistencies in the lines of occupation; and
- Random Errors in Measurement (Theoretical Uncertainty);

The Theoretical Uncertainty of the corners of the subject property is within the specifications for a class 'A' survey.

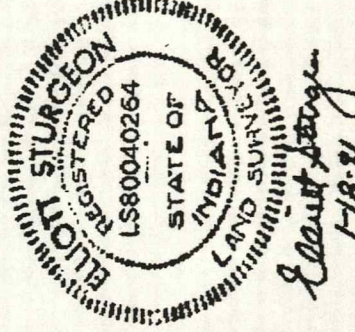
Discrepancies in record descriptions and plats: The recorded plat of Aden G. Cavins Addition to the town of Bloomfield, Indiana, several dimensions omitted make the restoration of corners in the subdivision impossible without making some assumptions. The northwest line of (Cut Lot No. 1 has no length or bearing shown. Lewis Street has no width shown. Surveys by Pittsner assumes Lewis Street to be 50 feet wide and Lewis Street is the same width as other interior streets in this subdivision, 60 feet. Recorded plat has no scale shown but this street appears to be same width as other streets. Possible variation of ten feet possible.

Inconsistencies in the lines of occupation: Lines of occupation in Block "I" are not well enough defined to establish accepted property lines. This survey leaves an encroachment of a small building across Floyd's south line of less than one foot.

Variance in reference monuments: Relocated monuments by other surveys varied by as much as 7.33 feet. These monuments found were not part of the original survey plat and were not used on this survey except to be noted for their relative location.

Accepted surveying practice dictates that in city resurveys exterior subdivision boundaries or curb lines be used to locate interior block corners. Posts on the south line of Cut Lot No. 1 were witnessed by the present owner to have been accepted as correct since prior to 1900. By using this line and the curbed lines of Selinary Street, the streets and lines of Cavins Addition were established.

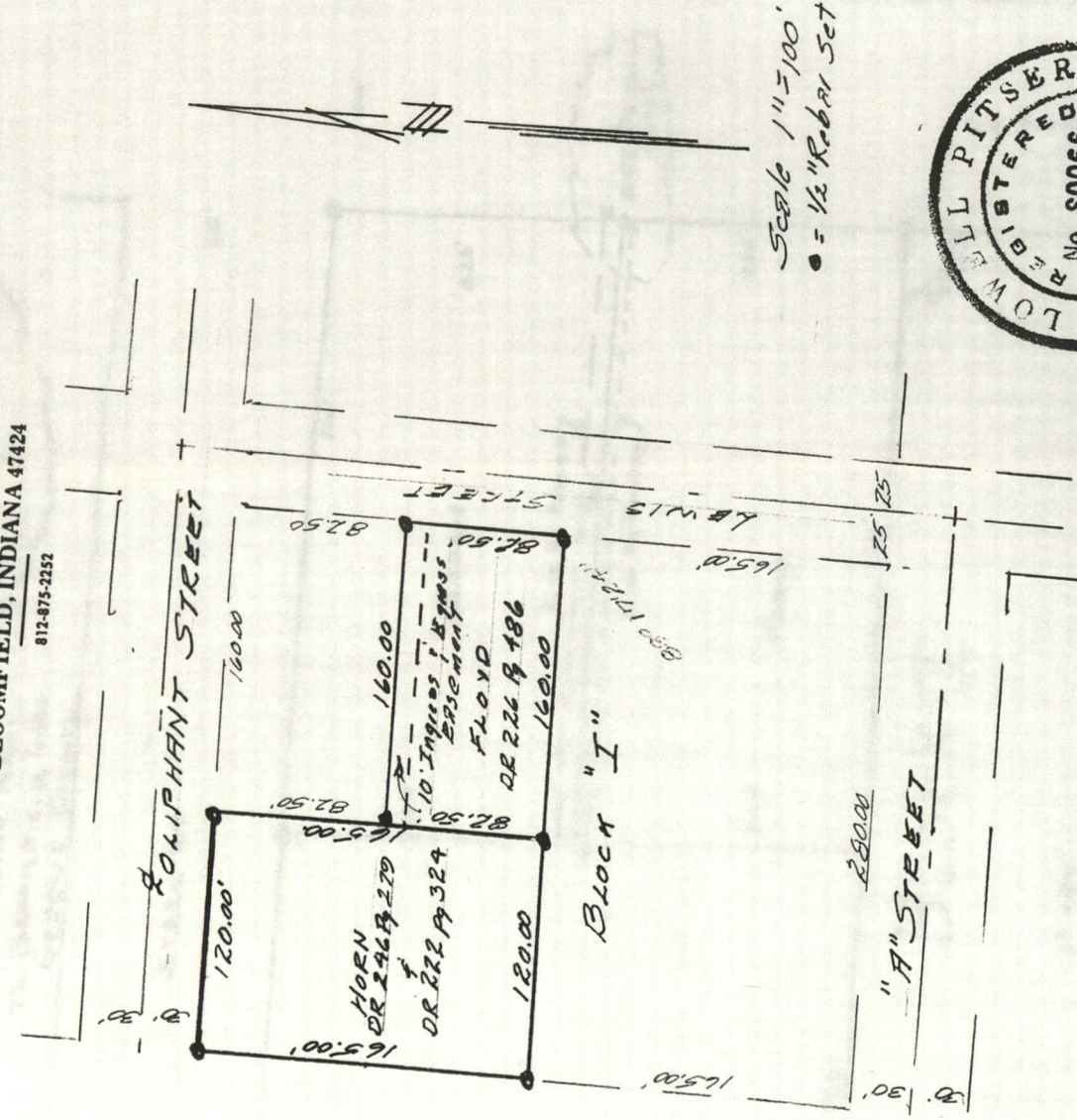
As a result of the above observations the uncertainty in the locations of the lines and corners as such as ten feet.



10/27/99 21:20 TX/RX NO. 4121 P.012

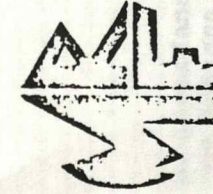


LOWELL PITTSER  
REGISTERED PROFESSIONAL LAND SURVEYOR  
R. R. 5 BOX 134  
BLOOMFIELD, INDIANA 47424  
812-875-2332



DESCRIPTION: a survey of a part of Lot "I" in A. G. Cavins Addition to the Town of Bloomfield, Indiana as recorded in Deed Record 226, Page 486, Deed Record 222, Page 324 and Deed Record 246, Page 279 in the Office of the Recorder of Greene County, Indiana

I, Lowell Pittser, a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana, do hereby certify that this survey was made by me on March 12, 1988, and is true and correct to the best of my ability and belief.



& ASSOCIATES

812-254-4263  
P.O. Box 389  
WASHINGTON, INDIANA  
47501

MARSTON R. FOWLER, JR. P.E. & L.S.

CIVIL ENGINEERING ——— LAND SURVEYING  
CONSTRUCTION CONSULTANT

# CERTIFICATE OF LEGAL SURVEY

Pursuant to Indiana Code Section 36-2-12-10, and subsequent to official Notice to Adjoining Landowner's by certified mail, dated April 6, 1989, I have completed the survey this May 6, 1989, at the request of Sam Lehman, for the purpose of locating the boundaries of the following described real estate in the Town of Bloomfield, Greene County, Indiana:

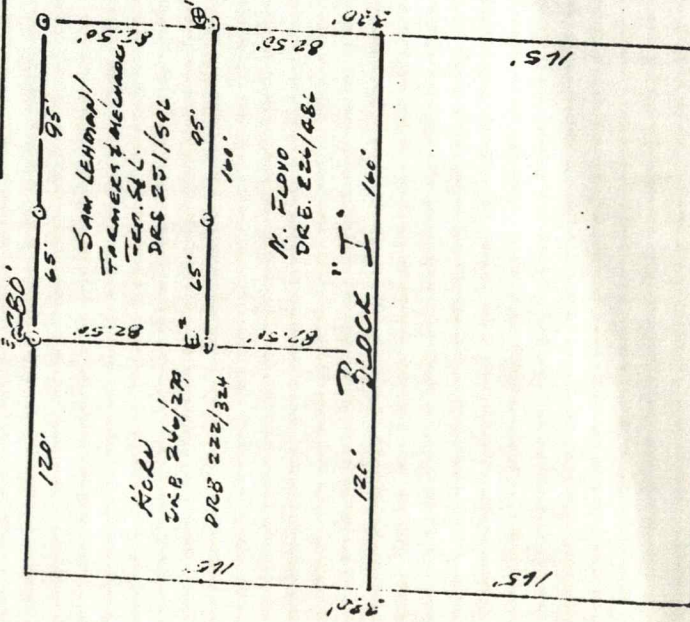
The North Half of the North Half of Block "I" in Aden G. Cavins Addition to the Town of Bloomfield, being a strip eighty-two and one-half (82½) feet wide and of equal width off of the entire north side of said Block "I" as shown by the Plat of said Addition recorded in Plat Record 2, at page 18, in the Office of the County Recorder of Greene County, Indiana, BUT EXCEPTING THEREFROM 120 feet off of the west end of said parcel of real estate.

The corners of said tract were marked by eighteen (18) inch long reinforcing steel rod with a yellow plastic cap and orange ribbon.

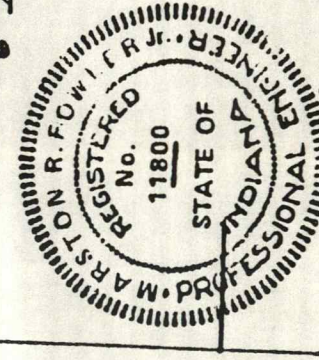
I personally contacted the adjoining property owners this May 6, 1989, at the completion of the survey and advised them of such completion and in fact Mr. Horn (DRB 246, p-279 & DRB 222, p-324), adjoining property owner to the west, was shown the monuments set, and in addition I advised him of the fact that I would file a copy of the Plat of Survey with the County Surveyor, in the Office of the Surveyor, and within ten (10) days would notify all adjoining property owners, by certified mail, and provide them with a copy of said Plat of Survey.

Ms. Martha Floyd (DRB 226, p-486), adjoining property to the south of the surveyed tract, was also contacted and advised of the completion of said survey, and was asked if she wanted to see the corners as established, to which she responded, no. Mr. Sam Lehman, owner by Contract Sale, was present at various intervals throughout the day of the survey, and was shown the corners, and in fact was present when all corners were set.

STARK ST. PLAT OF LEGAL SURVEY — 60' R/W



Block "I"  
SCALE 1"=100'  
0 1/2" R/W. 1/2" R/W. 1/2" R/W. 1/2" R/W.  
1/2" R/W. 1/2" R/W. 1/2" R/W. 1/2" R/W.  
1/2" R/W. 1/2" R/W. 1/2" R/W. 1/2" R/W.



Marston R. Fowler, Jr., C.E.  
L.S. 11238  
May 6, 1989

- ① NEW PLAT FLOWERS 5.24' x 1.14' OF ESTABLISHED CORNER.
- ② NEW PLAT TOWN 2.44' x 1.14' OF ESTABLISHED CORNER.
- ③ NEW PLAT FLOWERS 7.34' x 2.07' OF ESTABLISHED CORNER.

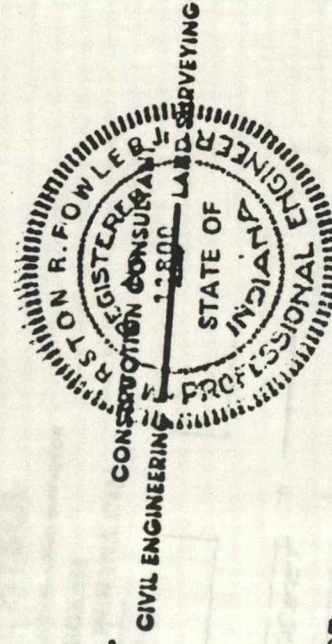




# & ASSOCIATES

812-254-4263  
P.O. Box 339  
WASHINGTON, INDIANA 47501

MARSTON R. FOWLER, JR. P.E. & L.S.



## SURVEYORS REPORT

In accordance with Title 864, Article 1.1, Chapter 13, Sections 1 through 34, of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- Variances in the reference monuments;
- Discrepancies in record descriptions and plats;
- Inconsistencies in lines of occupation and;
- Random Errors in Measurement (Theoretical Uncertainty);

The Theoretical Uncertainty (due to random errors in measurement) of the corners of the subject tract established this survey is within the specifications for a Class 'A' Survey ( 0.10 feet) as defined in IAC 864.

The original platted subdivision of Aden G. Cavins' Addition (Plat Book 2, page 18) is void of several critical angles and dimensions which creates differences in the interpretation of the location of any portion and/or all lots in said Addition.

As shown on the recorded plat Blocks "L", "K", "G", "H", and "I" are two hundred and eighty (280) feet east-west measurement dimensions, which indicates that the streets platted between Blocks "I" & "J", now Lewis Street, and the Street east of Blocks "M", "K", & "L", now South Seminary Street, are parallel, and three hundred thirty five (335) feet center to center, since the right of way on South Seminary Street is 50 feet wide, and on South Lewis is 60 feet wide.

The location of any north-south control was limited to the South line of Out Lot No. 1, which is very evident, since it was monumented by round steel post set in concrete prior to 1916, according to testimony given this day by Ione Starkey, who has resided on the property adjoining the south line, since 1916, and is witness to its existence since that time.

Using this testimony as a primary source of evidence and in view of the fact that it generally fits the lines of occupation, this south line intersection with the west line of the Street, now South Lewis Street, was used to control the north-south Block locations, as shown on the Plat of said Aden G. Cavins Addition in Plat Book 2, page 18, in the Recorder's Office of Greene County, Indiana.

It should be noted that existing iron pins were found, as shown on the plat of legal survey, which were intended to locate the corners of Mr. Horns (adjoining property owner to the West) and Ms. Martha Floyd (adjoining property owner to the East), which do not agree with the locations established by physically measuring such angles, by use of an Electronic Distance Meter (EDM) with an angular readout, between the located center of street intersections on South Lewis and the existing center of street intersections.

The established Street intersections, at the existing iron pins found near the located corners are north and east of the established corners as shown on the plat of legal survey.

I, Marston R. Fowler Jr., certify that I am a Registered Land Surveyor, under IC 25-3: (25-31-1-1--25-31-1-32), that the Plat of Legal Survey represents a survey completed by me; that the monuments shown on said plat actually exist, and that their type(s) and location(s) are, to the best of my knowledge and belief, true and correct.

*Marston R. Fowler Jr.*  
L.S. 12800  
May 6, 1999

Page 2 of 2 pages

CB & M Surveys, Inc.  
(Construction, Boundary, & Mortgage)  
P.O. Box 487  
Linton, IN 47441  
(812) 847-1952

Page 1 of 6  
Job No. CS1198

## CERTIFICATE OF SURVEY

I, James C. Tibbett, hereby certify that I am a registered Land Surveyor, licensed in accordance with the laws of the State of Indiana, that the following plat and description represent a survey completed by me on March 30, 2000, that all monuments actually exist, and that their types and locations are, to the best of my knowledge, accurately shown.

Prepared for: The following survey is a retracement survey deeded to Ione Starkey and Hazel Noble recorded in Deed Book 251, Page 86 in the Office of the Recorder, Greene County Courthouse.

Greene County  
Richland Township  
City of Bloomfield  
Book 251, Page 86

## DESCRIPTION

A part of Out Lot Numbered 1 in Aden G. Cavens' Addition to the Town of Bloomfield, described as follows, to-wit: beginning at the southeast corner of said Out Lot Numbered 1 and running thence north along the east line of said Out Lot 58 feet, thence in a southwesterly direction parallel to the south line of said Out Lot to the West line of said Out Lot, thence south 58 feet to the southwest corner of said Out Lot, thence northeasterly along the South line of said Out Lot, the place of beginning, being a strip of uniform width off of the entire south side of said Out Lot.

Subject to any and all utility easements, highway rights of way easements and legal right-of-ways and other observable or recorded restrictions, conditions and limitations.

## NOTE:

This property is not within a 100 year flood area, Zone "A" per F.I.R.M. (Flood Insurance Rate Map Panel Number 180436 0005 A for Greene County Community). The accuracy of any flood hazard statement shown on this report is subject to map scale uncertainty and to other uncertainty in location or elevation on the referenced flood insurance rate map.

Certification Date: March 30, 2000

Surveyor's Signature:

*James C. Tibbett*  
James C. Tibbett, R.L.S.  
Indiana Registry # LS80910029



CB & M Surveys, Inc.  
(Construction, Boundary, & Mortgage)  
P.O. Box 487  
Linton, IN 47441  
(812) 847-1952

Page 2 of 6  
Job No. CS1198

PLAT  
See Page 6 of 6  
Job No. CS1198

This survey certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

It is not true that when a surveyor sets a stake that it automatically marks a property line. Actually, a surveyor marks a corner from a written description of the property. That corner will control only if no conflicts are discovered. The surveyor has no authority to resolve conflicts. Only the courts within the proper jurisdiction have the authority to resolve conflicts and ultimately establish the boundary lines of a piece of property -- Indiana Society of Professional Land Surveyors (Standards of Practice).

#### SURVEYOR'S REPORT

The following monuments, deeds, and surveys were used to perform this survey:

1. Rebar monuments found at the following locations in Aden G. Cavins' Addition:
  - a. The Southeast corner of Out Lot 1.
  - b. 58 feet Northeast of the Southeast corner of Out Lot 1.
  - c. 321.1 feet Northeast of the Southeast corner of Out Lot 1 in Block I.
  - d. 399.93 feet Northeast of the Southeast corner of Out Lot 1 in Block I.
  - e. 120.02 feet Southwest of the Northwest corner of Block I.
  - f. The Northwest corner of Block I.
  - g. 160.47 feet Southwest of the Northwest corner of Block I.
  - h. 179.25 feet Southwest of the Northwest corner of Block I.
  - i. Old fence line found running on the South side of the line between Out Lot 1 and Out Lot 2.
2. Monuments found in Lambs First Addition:
  - a. The Northwest corner of Lot 1 (alley vacated).
  - b. The Northeast corner of Lot 2 (alleys vacated).
  - c. The Northeast corner of Lot 3 (alley vacated).
  - d. The Northwest corner of Lot 5.
  - e. The Southwest corner of Lot 5.
3. Monuments found in the East Fractional Section 27, Township 7 North, Range 5 West:
  - a. 3 inch steel post in concrete 40 feet South of the Southwest corner of Out Lot 2 in Aden G. Cavins' Addition.
  - b. 3 inch steel post in concrete 40 feet South and 193.975 feet East of the Southwest corner of said Cavins' Addition.
4. The following surveys were used:
  - a. Marston R. Fowler, Jr., survey of Out Lot 2 dated July 1, 1996.

Certification Date: March 30, 2000

Surveyor's Signature: \_\_\_\_\_

James C. Tibbett, R.L.S.  
Indiana Registry # LS80910029

CB & M Surveys, Inc.  
(Construction, Boundary, & Mortgage)  
P.O. Box 487  
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Page 3 of 6  
Job No. CS1198

- b. Richard A. Gregg survey of Out Lot 2 dated August 20, 1986.
- c. Elliott Sturgeon survey of Block I dated January 18, 1991.
- d. Lowell Pitser survey of Block I dated July 1, 1989.
- e. Lowell Pitser survey of Block I dated March 12, 1988.
- f. Marston R. Fowler, Jr., survey of Block I dated May 6, 1989 as recorded as a legal survey.
- g. James C. Tibbett survey of Lot 3 as recorded in Miscellaneous Book 99, Pages 316-318 dated April 29, 1997.
- h. James C. Tibbett survey of Lots 1 and 2 dated October 28, 1993, recorded in Miscellaneous Book 92, Page 486.
5. Court decisions:
  - a. Greene Circuit Court, Cause No. 28 C01 8907CPI79 Martha L. Floyd (Plaintiff) vs. Sam Lehman (Defendant) and Sam Lehman (Counter-Plaintiff) vs. Martha L. Floyd (Counter-Defendant).
6. Plats:
  - a. Plat of Aden G. Cavins' Addition.
  - b. Plat of Lambs First Addition.
7. Deeds of Record:
  - a. Deed Record 263, Page 577; Deed Record 251, Page 86; Deed Record 278, Page 624; Deed Record 254, Page 239; Deed Record 250, Pages 53-54; Deed Record 294, Page 841; Deed Record 294, Pages 680-684; Deed Record 295, Pages 866-867; Deed Record 139, Page 8; Deed Record 227, Page 358; Deed Record 253, Page 217; Deed Record 253, Page 219; Deed Record 291, Pages 969-970; Deed Record 260, Page 428; Deed Record 251, Pages 531-532; Deed Record 180, Page 6; Deed Record 219, Page 161.

In accordance with Title 865 Article 1, Chapter 12, Section 1 through 29 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of lines and corners established on this survey as a result of:

- A) Variances in the reference monuments;
  1. Block I is North of Out Lot 1 in Aden G. Cavins' Addition and the true location of this Block helps control the location of said Out Lot 1. The true location was set in the Court decision by David K. Johnson, Judge-Greene County Circuit Court. This decision overturned the legal survey done by Marston R. Fowler, Jr., dated May 6, 1989, and also overturn the boundary survey done by Lowell Pitser dated July 1, 1989, and March 12, 1988. The Court accepted the survey done by Elliott Sturgeon dated January 23, 1991 - Cause No. 28 C01 8907 CP179. This decision controls the North and South lines of Out Lot 1. Aden G. Cavins' Addition Plat has several dimensions omitted making the restoration of corners in the subdivision impossible without making some assumptions. EXAMPLE: The Northwest line of Out Lot 1 has no length or bearing shown on the original plat.
- 2.

Certification Date: March 30, 2000

Surveyor's Signature: \_\_\_\_\_

James C. Tibbett, R.L.S.  
Indiana Registry # LS80910029



**CB & M Surveys, Inc.**  
**(Construction, Boundary, & Mortgage)**

P.O. Box 487  
 Linton, IN 47441  
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Page 4 of 6  
 Job No. CS1198

- B) Discrepancies in record descriptions and plats;  
 1. See A2 above.  
 2. The plat of Aden G. Cavins' Addition shows Out Lot 1 to be wider than Block I but does not state the length on the North side. The plat of Lambs First Addition shows the same line as being a straight line from the West side of Block I down to the Southwest corner of Out Lot 1. The two subdivisions gap each other by 14.96 feet at the North end and 13.55 feet at the South end as found monumented.
3. The written description of Ione Starkey and Hazel Noble (Deed Record 251, Page 86) is ambiguous and misleading. This strip as written is only 55.29 feet wide (North/South) not the 58 feet as may be perceived. The East side was found to have two rebars, unknown date or who set them at an acceptable location as conveyed. The direction to the North along the East line of Out Lot 1 was found to be North 27 degrees 39 minutes 41 seconds East. The next call creates the North side of this parcel to be parallel with the South side creating a strip 55.29 feet not 58 feet. No distance of the North side is given only that it is to go the West side of this Out Lot.
4. Lambs First Addition writing calls for all streets to be 50 foot right-of-ways, the plat shows 50 feet on A, B, and C Streets but does not show the right-of-way on the extension of A Street in Cavins' Addition. The perimeter description would indicate that this section of street is 60 feet wide, not 50 feet as stated.
- C) Inconsistencies in line of occupation;  
 1. Out Lot 1 has several structures and the Out Lot is divided into two parcels, as conveyed must go through the existing garage, see plat.  
 2. The old steel post fence line between Out Lot 1 and Out Lot 2 was found to be 3.1 feet South of the monumented line.
- D) Random Errors in Measurement (Theoretical Uncertainty).  
 1) The Random Errors in Measurement (Theoretical Uncertainty) of the corners of the subject tract established this survey is within the specifications for a Class D Survey (+/- 1.0 feet) as defined in IAC 865.

As a result of the above observations, it is my opinion that the uncertainties in the locations of the lines and corners established on this survey are as follows:

All corners:

The Northeast and Southeast corners of the subject tract have an uncertainty of 0.5 feet North/South and 0.5 feet East/West.

The Northwest corner has an uncertainty of 1.5 feet North/South and 22.0 feet East/West.

Certification Date: March 30, 2000

Surveyor's Signature: \_\_\_\_\_

James C. Tibbett, R.L.S.  
 Indiana Registry # LS80910029

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Page 5 of 6  
 Job No. CS1198

The Southwest corner has an uncertainty of 1.3 feet North/South and 21.46 feet East/West.

**CONCLUSION:** The West side of Cavins' Addition was set to match the known East/West lengths of this area being 330 feet on the South line of Out Lot 1 and 280 feet on the South line of Block I. This creates a straight line to match the written description of Lambs Addition to the West and also creates a gap area between the two subdivisions found monumented in the field. The rebar recovered 11.8 feet West of the Northwest corner of the subject tract would appear to be set by a surveyor that has found this error before and basically set his rebar near the middle of the gap area. C.B. & M. Surveys, Inc. did not accept this point as the true corner due to questionable title in the gap area but we did accept this point as being on the extended divide line of Out Lot 1.

A more accurate description of the above parcel is as follows:

A part of the Out Lot 1 in Aden G. Cavins' Addition to the town of Bloomfield, more particularly described as follows: Beginning at a rebar marking the Southeast corner of said Out Lot 1; thence North 27 degrees 39 minutes 41 seconds East along and with the easterly side of said Lot 1, a distance of 58.0 feet to a point, said point being 0.03 feet South and 0.32 feet West of an existing rebar; thence North 87 degrees 45 minutes 22 seconds West parallel with the South side of said Out Lot 1, a distance of 325.97 feet to a rebar with cap engraved James Tibbett LS80910029 and hereon referred to as a monument; thence South 31 degrees 07 minutes 22 seconds West, a distance of 59.88 feet to a monument; thence South 87 degrees 45 minutes 22 seconds East along and with the South line of Out Lot 1, a distance of 330.00 feet to the point of beginning and containing 0.395 acres, more or less.

Certification Date: March 30, 2000

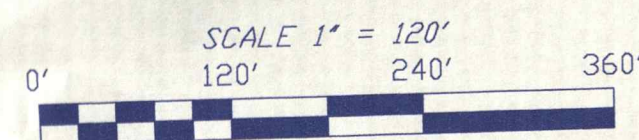
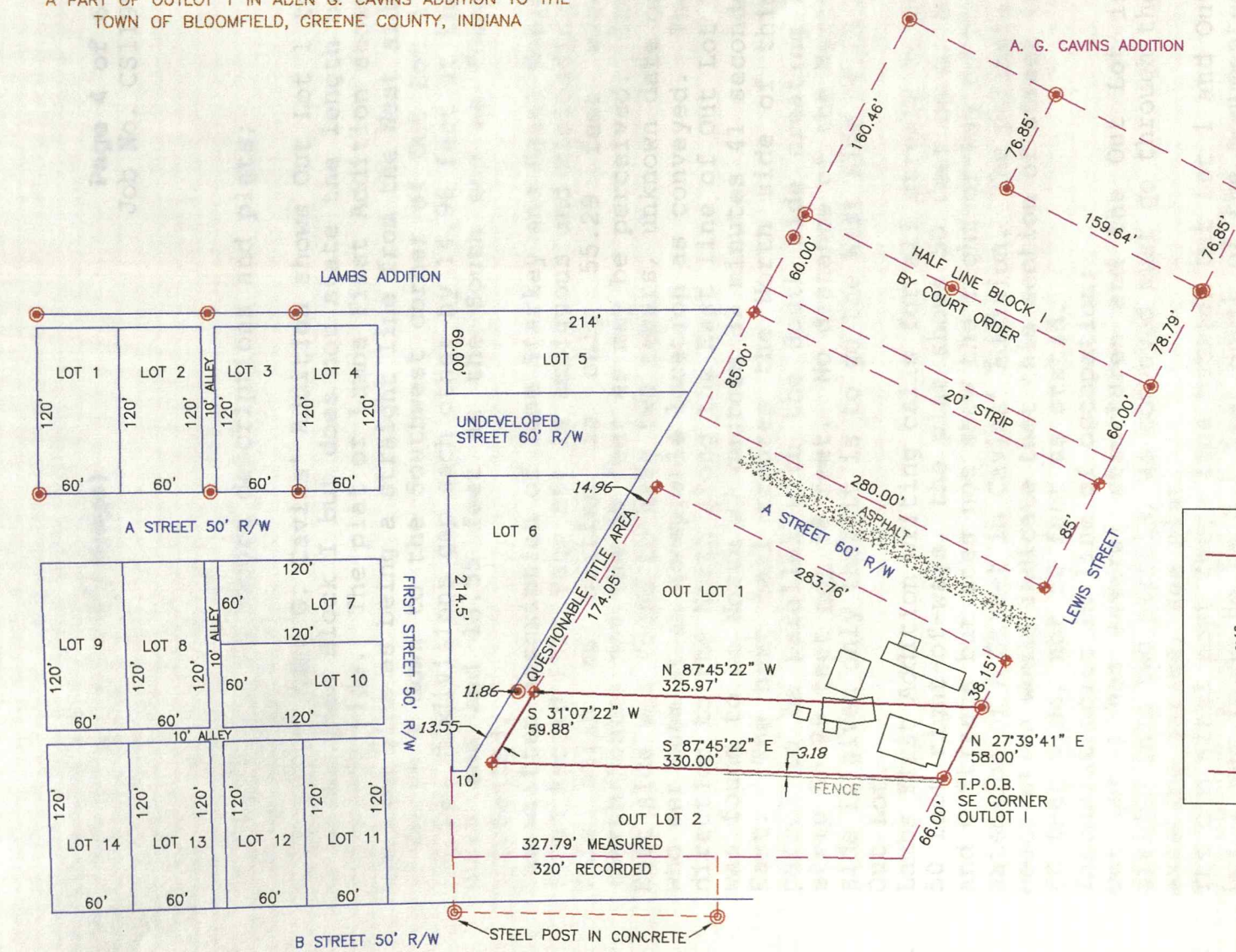
Surveyor's Signature: \_\_\_\_\_

James C. Tibbett, R.L.S.  
 Indiana Registry # LS80910029



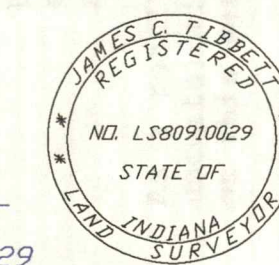
CB&M SURVEYS, INC.  
(Construction, Boundary, & Mortgage)  
P.O. Box 487, Linton, IN 47441

A PART OF OUTLOT 1 IN ADEN G. CAVINS ADDITION TO THE  
TOWN OF BLOOMFIELD, GREENE COUNTY, INDIANA



CERTIFICATION DATE: MARCH 30, 2000

Surveyor's Signature: *James C. Tibbett*  
James C. Tibbett, R.L.S.  
Indiana Registry # LS80910029



Page 6 of 6  
Job No. CS1198  
(812) 847-1952

- LEGEND
- REBAR SET W/CAP ENGRAVED  
JAMES TIBBETT LS80910029
  - REBAR FOUND
  - PIPE POST IN CONCRETE

BASE OF BEARING IS  
THE NORTH LINE OF  
LAMBS ADDITION ROTATED  
TO N 90°00'00" E

NOTE: GARAGE ON SUBJECT TRACT IS ACROSS SURVEY LINE.

